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10/035,966	11/09/2001	Stephen V. Burakoff	N00389/70006 RJP	3768
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Randy J. Pritzker Wolf, Greenfield & Sacks 600 Atlantic Avenue Boston, MA 02210			EXAMINER CHANDLER, SARA M	
			ART UNIT 3693	PAPER NUMBER
			MAIL DATE 02/02/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/035,966

**Applicant(s)**

BURAKOFF ET AL.

**Examiner**

SARA CHANDLER

**Art Unit**

3693

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 114-125 and 196-251 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 07/08/09
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

Continuation of Disposition of Claims: Claims withdrawn from consideration are 121,122,199-201,203-205,207,209,227,228,236-238,240-242,244 and 246.

Continuation of Disposition of Claims: Claims rejected are 114-119,122-125,196-198,202,206,208,210-212,220-226,229-235,239,243,245 and 247-251.

## **DETAILED ACTION**

### ***Response to Amendment***

This Office Action is responsive to Applicant's arguments and request for reconsideration of application 10/035,966 (11/09/01) filed on 12/11/08.

Applicant's election without traverse of species 1 within Group A (encompassing claims 119 and 226), species 1 within Group B (encompassing claims 122 and 230), species 1 within Group C (encompassing claims 202 and 239), species 4 within Group D (encompassing claims 220, 248 and 251), and species 2 within Group E (encompassing claims 210 and 247) in the reply filed on 06/04/09 is acknowledged.

### ***Claim Interpretation***

1. In determining patentability of an invention over the prior art, all claim limitations have been considered and interpreted as broadly as their terms reasonably allow. See MPEP § 2111.

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. *In re Pruter*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969). See MPEP § 2111.

2. All claim limitations have been considered. Additionally, all words in the claims have been considered in judging the patentability of the claims against the prior art. See MPEP 2106 II C. The following language is interpreted as not further limiting the scope of the claimed invention. See MPEP 2106 II C.

Language in a method claim that states only the intended use or intended result, but the expression does not result in a manipulative difference in the steps of the claim. Language in a system claim that states only the intended use or intended result, but does not result in a structural difference between the claimed invention and the prior art. In other words, if the prior art structure is capable of performing the intended use, then it meets the claim.

Claim limitations that contain statement(s) such as *"if, may, might, can could"*, as optional language. As matter of linguistic precision, optional claim elements do not narrow claim limitations, since they can always be omitted.

Claim limitations that contain statement(s) such as *"wherein, whereby"*, that fail to further define the steps or acts to be performed in method claims or the discrete physical structure required of system claims.

USPTO personnel should begin claim analysis by identifying and evaluating each claim limitation. For processes, the claim limitations will define steps or acts to be performed. For products, the claim limitations will define discrete physical structures or materials. Product claims are claims that are directed to either machines, manufactures or compositions of matter. See MPEP § 2106 II C.

The subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. The following are examples of language that may raise a question as to the limiting effect of the language in a claim:

- (A) statements of intended use or field of use,
- (B) "adapted to" or "adapted for" clauses,
- (C) "wherein" clauses, or
- (D) "whereby" clauses.

See MPEP § 2106 II C.

3. Independent claims are examined together, since they are not patentable distinct. If applicant expressly states on the record that two or more independent and distinct inventions are claimed in a single application, the Examiner may require the applicant to elect an invention to which the claims will be restricted.

***Claim Objections***

**Claims 124-125, 196-198, 229-230, 232-234, 239, 243 and 247** are objected to because of the following informalities:

Claims 124-125, 196-198, 229-230, 232-234, 239, 243 and 247 depend from non-elected claims. The claims should be amended to depend from pending claims. The dependent claims from each independent claim should correlate to avoid confusion.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 114-119, 122, 197, 198, 211, 212, 220-226, 229, 230, 235, 248 - 251** are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Smith, US Pat. No. 6,192,407.

**Re Claims: 114, 220, 221, 248:** Smith discloses a computer-readable medium/system comprising:

before providing access to information, requesting consent of a user to electronic delivery of the information (Smith, col. 1, lines 40-63; col. 6, line 12-19; col. 7, lines 12-26; col. 11, lines 15-25; col. 13, lines 18+ - col. 14, line 21; col. 15, lines 4-15; col. 15, lines 28-42); and

once the consent is deemed given by the user, enabling the delivery of the information to the user (Smith, abstract; col. 1, lines 9-11; col. 2, lines 9-36; col. 3, lines 43+-col. 11, line 24; col. 14, line 11 – col. 15, line 53).

**Re Claims 115, 222:** Smith discloses the claimed invention supra and further discloses receiving the consent (Smith, abstract, col. 2, lines 21-36; col. 10, lines 52+-col. 11, line 2; col. 13, lines 19-32; col. 13, line 58+-col. 14, line 4; col. 14, lines 22-30; col. 15, lines 9-42).

**Re Claims 116, 223:** Smith discloses the claimed invention supra and further discloses wherein the consent is received over a computer communications link (Smith, abstract, col. 2, lines 21-36; col. 10, lines 52+-col. 11, line 2; col. 13, lines 19-32; col. 13, line 58+-col. 14, line 4; col. 14, lines 22-30; col. 15, lines 9-42 In a network environment for the delivery of information, a communication link is inherent).

**Re Claims 117, 224:** Smith discloses the claimed invention supra and further discloses storing an indication of consent (Smith, abstract, col. 2, lines 21-36; col. 10, lines 52+-col. 11, line 2; col. 13, lines 19-32; col. 13, line 58+-col. 14, line 4; col. 14, lines 22-30; col. 15, lines 9-42).

**Re Claims 118, 225:** Smith discloses the claimed invention supra and further discloses wherein enabling the delivery of information comprises sending the information (Smith, abstract; col. 1, lines 9-11; col. 2, lines 9-36; col. 3, lines 43+-col. 11, line 24; col. 14, line 11 – col. 15, line 53).

**Re Claims 119, 226:** Smith discloses the claimed invention supra and further discloses wherein enabling the delivery of information comprises sending the information to the user in an electronic form (Smith, abstract; col. 1, lines 9-11; col. 2, lines 9-36; col. 3, lines 43+-col. 11, line 24; col. 14, line 11 – col. 15, line 53).

**Re Claims 122, 230:** Smith discloses the claimed invention supra and further discloses wherein the consent is deemed given by an affirmative action from the user (Smith, abstract, col. 2, lines 21-36; col. 10, lines 52+-col. 11, line 2; col. 13, lines 19-32; col. 13, line 58+-col. 14, line 4; col. 14, lines 22-30; col. 15, lines 9-42).



**Re Claims 197, 229:** Smith discloses the claimed invention *supra* and further discloses wherein the address on the Internet is an address on the World Wide Web (Smith, abstract, Fig. 18, col. 2, lines 21-36; col. 14, lines 36-54; col. 15, lines 7+-col. 16, line 44).

**Re Claims 198, 235:** Smith discloses the claimed invention *supra* and further discloses, wherein the information comprises a plurality of items of information (Smith, abstract, col. 2, lines 21-36; col. 3, lines 24-36; col. 3, line 58+-col. 4, line 7; col. 11, lines 25-40; col. 12, line 12+ - col. 13, line 32; col. 15, lines 43-53; col. 16, lines 11-20).

**Re Claims 211, 212, 249, 250, 251:** Smith discloses a method comprising: before providing access to information, requesting consent of a user to electronic delivery of the information (Smith, col. 1, lines 40-63; col. 6, line 12-19; col. 7, lines 12-26; col. 11, lines 15-25; col. 15, lines 4-15; col. 15, lines 28-42); and if consent is deemed given by the user, enabling the delivery of the information to the user (Smith, abstract; col. 1, lines 9-11; col. 2, lines 9-36; col. 3, lines 43+-col. 11, line 24; col. 14, line 11 – col. 15, line 53. See discussion *supra* regarding “if” as used in the claim. The limitation is interpreted as not required (i.e., because consent may never be given).

**Alternatively, Re Claims 114-119, 122, 197, 198, 211, 212, 221-226, 229, 230, 235, 249 and 250:** In addition to the explicit teaching-suggestion-motivation (TSM) of Smith *supra*, the claimed invention would have obvious to one of ordinary skill in the art.

Helpful insights, however, need not become rigid and mandatory formulas; and when it is so applied, the TSM test is incompatible with our precedents. The obviousness analysis cannot be confined by a formalistic conception of the words teaching, suggestion, and motivation, or by overemphasis on the importance of

published articles and the explicit content of issued patents. The diversity of inventive pursuits and of modern technology counsels against limiting the analysis in this way. In many fields it may be that there is little discussion of obvious techniques or combinations, and it often may be the case that market demand, rather than scientific literature, will drive design trends. Granting patent protection to advances that would occur in the ordinary course without real innovation retards progress and may, in the case of patents combining previously known elements deprive prior inventions of their value or utility. *KSR v. Teleflex*, 127 S.Ct. 1727, 82 USPQ2d at 1396 (2007).

Official Notice is taken that it is old and well-known for businesses and organizations to require that before providing access to information, requesting consent of a user to the electronic delivery of the information; and once the consent is deemed given by the user, enabling the delivery of the information to the user. Security, privacy protecting the integrity of information and efficiency are among the rationales. For example, authorizing or authenticating users/clients prior to submitting vulnerable information (e.g., personal, security, financial) information may be needed. For example, targeting communications to those users/clients who are interested and/or proactive (i.e., by indicating their consent to correspondence).

**Documentary Evidence:**

1. Oyama, US Pat. No. 6,910,020 (Receives customer authentication, customer wishes to newly open a bank account. Subsequently conveys information (e.g., target bank id code, result status, reception number etc.)
2. Schurko, US Pat. No. 6,760,414 (Receives id information from customer (e.g., PIN, SSN etc.). Subsequently, current account information is transferred)

3. Mori, US Pat. No. 6,138,907 (Receives card, password from customer.

Subsequently, accesses deposit ledger and reads the bank balance information and transmits the information).

Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art. Thus, the claimed subject matter likely would have been obvious under KSR. *KSR*, 127 S.Ct. at 1741, 82 USPQ2d at 1396.

**Claims 123, 124/114-123, 125/124/114-123, 196/124/114-123, 202, 206, 208, 210, 231, 232/221-231, 233/232/221-231, 234/232/221-231, 239, 243, 245 and 247** are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith, US Pat. No. 6,192,407.

**Re Claim 123, 231:** Smith discloses the claimed invention supra and further discloses providing user's with access to software to aid in using the delivery services (Smith, Fig. 16, col. 10, lines 36-51; col. 13, lines 58+-col. 14, line 21). Smith fails to explicitly disclose wherein the consent is requested by sending the user a computer-readable device. Official Notice is taken that it was old and well-known at the time the invention was made to place software on computer readable media. For example software is downloaded on various forms of computer readable media for sharing, transport, compatability etc. Thus, to provide wherein the consent is requested by sending the user a computer-readable device was well-known. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of

Smith to provide wherein the consent is requested by sending the user a computer-readable device. One would have been motivated by profits to increase the number of users who are interested in and have access to the delivery services.

**Re Claims 124/114-123, 125/124/114-123, 196/124/114-123, 232/221-231, 233/232/221-231, 234/232/221-231:** Smith discloses the claimed invention supra but fails to explicitly disclose  
wherein the information is securities information;  
wherein the information is compliance information; and  
wherein the securities information relates to one or more mutual funds.

Regarding, wherein the information is securities information; wherein the information is compliance information; and wherein the securities information relates to one or more mutual funds.

**Nonfunctional Descriptive Material**

Certain types of descriptive material, such as music, literature, art, photographs, and mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter. See MPEP § 2106, II.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Smith to provide wherein the information is securities information; wherein the information is compliance information; and wherein the securities information relates to one or more mutual funds.

Claims 124/114-123, 125/124/114-123, 196/124/114-123, 232/221-231, 233/232/221-231, 234/232/221-231 apply a known technique to a known device ready

for improvement to yield predictable results. Thus, the claimed subject matter likely would have been obvious under KSR. *KSR*, 127 S.Ct. at 1741, 82 USPQ2d at 1396.

**Re Claims 202, 239:** Smith discloses the claimed invention supra but fails to explicitly disclose,

wherein the first type of information relates to a first type of document.

Regarding, wherein the first type of information relates to a first type of document.

Nonfunctional Descriptive Material

Certain types of descriptive material, such as music, literature, art, photographs, and mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter. See MPEP § 2106, II.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Smith to provide wherein the first type of information relates to a first type of document.

Claims 202 and 239 apply a known technique to a known device ready for improvement to yield predictable results. Thus, the claimed subject matter likely would have been obvious under KSR. *KSR*, 127 S.Ct. at 1741, 82 USPQ2d at 1396.

**Re Claims 206 and 243:** Smith discloses the claimed invention supra but fails to explicitly disclose wherein the information comprises compliance information, and wherein each electronic delivery is to occur after a filing of compliance information by a securities issuer.

Regarding, wherein the information comprises compliance information, and wherein each electronic delivery is to occur after a filing of compliance information by a securities issuer.

Nonfunctional Descriptive Material

Certain types of descriptive material, such as music, literature, art, photographs, and mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter. See MPEP § 2106, II.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings Smith to provide wherein the information comprises compliance information, and wherein each electronic delivery is to occur after a filing of compliance information by a securities issuer.

Claims 206 and 243 apply a known technique to a known device ready for improvement to yield predictable results. Thus, the claimed subject matter likely would have been obvious under KSR. *KSR*, 127 S.Ct. at 1741, 82 USPQ2d at 1396.

**Re Claims 208, 210, 245, 247:** Smith discloses the claimed invention supra but fails to explicitly disclose wherein the information comprises a first item and one or more other items, and wherein enabling the delivery of the information to the user comprises enabling the delivery of the first item to the user and making the one or more other items of information available to the user when the delivery of the first item is enabled; and wherein making the one or more other items of information available to the user comprises making the one or more other items available to the user in electronic form.

It is not 'invention' to broadly provide a mechanical or automatic means to replace manual activity which has accomplished the same result. *In re Venner*, 120 USPQ 192 (CCPA 1958) *In re Rundell*, 9 USPQ 220

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Smith to provide wherein the information comprises a first item and one or more other items, and wherein enabling the delivery of the information to the user comprises enabling the delivery of the first item to the user and making the one or more other items of information available to the user when the delivery of the first item is enabled; and wherein making the one or more other items of information available to the user comprises making the one or more other items available to the user in electronic form.

Claims 208, 210, 245, 247 apply a known technique to a known device ready for improvement to yield predictable results. Thus, the claimed subject matter likely would have been obvious under KSR. *KSR*, 127 S.Ct. at 1741, 82 USPQ2d at 1396.

NOTE: The following terms have been given their broadest reasonable interpretation: securities information, compliance information etc.= information.

In regards to "securities information: What type of information regarding the securities is obtained and how it impacts the claimed invention has not been provided. Furthermore, there are no active steps performed with respect to the securities information as compared to any information and no unique features or characteristics have been identified as to the securities information as compared to any information.

"Compliance" by definition refers to acquiescence to or actions taken in accordance with rule(s) and/or standard(s). In the claimed invention what these rules or

standards are have not been provided. Furthermore, there are no active steps performed with respect to the compliance information as compared to any information and no unique features or characteristics have been identified as to any compliance information as compared to the information.

The label of "securities information" and "compliance information" is nonfunctional descriptive material.

Certain types of descriptive material, such as music, literature, art, photographs, and mere arrangements or compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter. See MPEP § 2106, II.

### ***Response to Arguments***

#### **Claim objections**

Withdrawn

#### **101**

Withdrawn in light of applicant's amendment.

#### **112**

Withdrawn.

#### **102/103**

Applicant's arguments have been fully considered but they are not persuasive.

Prior to receiving documents from the sender, Smith discloses several actions taken by the recipient that demonstrate the recipient's consent or acquiescence to the delivery of information. (E.g., Customizing delivery, security and receipt requirements



(Smith, col. 13, lines 19-32); and downloading and installing necessary software (Smith, col. 13, lines 58+ - col. 14, line 4).

Furthermore, regarding Official Notice, Official Notice is taken that it is old and well-known for businesses and organizations to require that before providing access to information, requesting consent of a user to the electronic delivery of the information; and once the consent is deemed given by the user, enabling the delivery of the information to the user. Security, privacy protecting the integrity of information and efficiency are among the rationales. For example, authorizing or authenticating users/clients prior to submitting vulnerable information (e.g., personal, security, financial) information may be needed. For example, targeting communications to those users/clients who are interested and/or proactive (i.e., by indicating their consent to correspondence).

Documentary Evidence:

4. Oyama, US Pat. No. 6,910,020 (Receives customer authentication, customer wishes to newly open a bank account. Subsequently conveys information (e.g., target bank id code, result status, reception number etc.)
5. Schurko, US Pat. No. 6,760,414 (Receives id information from customer (e.g., PIN, SSN etc.). Subsequently, current account information is transferred)
6. Mori, US Pat. No. 6,138,907 (Receives card, password from customer. Subsequently, accesses deposit ledger and reads the bank balance information and transmits the information).

Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art. Thus, the claimed subject matter likely would have been obvious under KSR. *KSR*, 127 S.Ct. at 1741, 82 USPQ2d at 1396.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **SARA CHANDLER** whose telephone number is (571)272-1186. The examiner can normally be reached on M-F, 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571)272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SMC  
**/JAGDISH N PATEL/**  
**Primary Examiner, Art Unit 3693**